

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**SPECIAL SESSION
February 21, 2007**

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Special Session at 1:00 p.m., February 21, 2007, in the Tom Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Don Stapley, District 2, Max W. Wilson, District 4. Absent: Andrew Kunasek, Vice Chairman, District 3 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Chris Keller, Chief Counsel, Civil Division. Votes of the Members will be recorded as follows: aye-no-absent-abstain.

EXECUTIVE SESSION CALLED

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Supervisor Wilson, seconded by Supervisor Stapley, and unanimously carried (3-0-2) to recess and reconvene in Executive Session for the purpose of obtaining legal advice from the Board's attorney in reviewing matters listed below, pursuant to the listed statutory references. All members remained in session when the meeting reconvened at 1:05 p.m.

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)**

Qwest Corporation v. ADOR, Maricopa County, et al., TX2004-000048, TX2004-001000, TX2006-050003

Keith Russell, Assessor, **did not attend**
Sandi Wilson, Deputy County Manager
Frank Boucek, Assistant Attorney General, State of Arizona
Jean Rice, Deputy County Attorney

AFSCME v. Maricopa County Board of Supervisors, et al., CV06-2128-PHX-SMM

Clarisse McCormick, Deputy County Attorney
Mark Ogden, Littler Mendelson
Sandi Wilson, Deputy County Manager
Elizabeth Yaquinto, Interim Deputy Director, Human Resources, **did not attend**
David Hendershott, Chief Deputy, Sheriff's Office

Arizona Motorsports Park v. Maricopa County

Joy Rich, Assistant County Manager
Rick Hood, Gust-Rosenfeld
Craig McCarthy, Gust-Rosenfeld
Peter Crowley, Risk Manager
Terry Eckhardt, Deputy County Attorney

Chris Keller left the meeting and Dean Wolcott entered the meeting as Outside Counsel to the Board for this item.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; ARS §38-431.03(A)(3) AND (A)(4)

Philip Keen V. Maricopa County et al., Maricopa County Superior Court, CV2006-008666 and Dorothy O'Connell v. David Smith et al., (formerly pending in Maricopa County Superior Court, CV2006-015091 pending in United States District Court, District of Arizona)

Wade Swanson, Littler Mendelson
David Smith, County Manager
Sandi Wilson, Deputy County Manager

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Elizabeth Yaquinto, Interim Deputy Director, Human Resources

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03(A)(3) and (A)(4)

First Amendment to Amended and Restated IGA for Insurance – WITHDRAWN

Christopher Keller, Chief Deputy
Peter Crowley, Risk Manager
John Paulsen, Deputy County Attorney

MEETING ADJOURNED

Following discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

/s/ Fulton Brock, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board